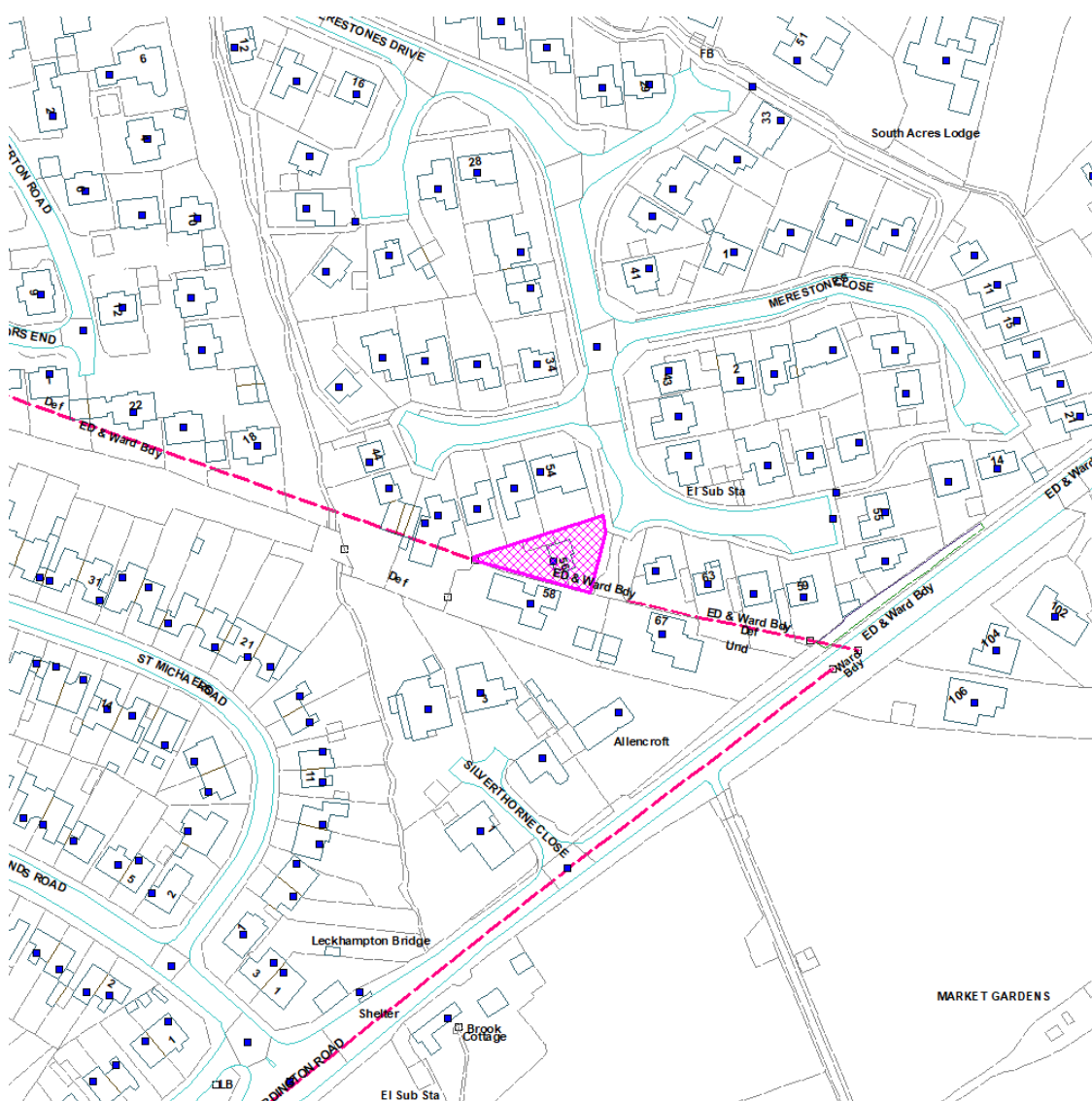


APPLICATION NO: 19/00745/FUL		OFFICER: Mrs Victoria Harris	
DATE REGISTERED: 12th April 2019		DATE OF EXPIRY: 7th June 2019	
DATE VALIDATED: 12th April 2019		DATE OF SITE VISIT: 2nd May 2019	
WARD: Park		PARISH:	
APPLICANT:	Mr Roy Smith		
AGENT:	BPL Architecture		
LOCATION:	56 Merestones Drive, Cheltenham		
PROPOSAL:	Two-storey side extension		

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a detached two-storey property located along Merestones Drive.
- 1.2 The application proposes the erection of a two-storey side extension.
- 1.3 The application is brought to Planning Committee at the request of Cllr Harman, on the following grounds;
- *Overbearing impact on the adjoining property which is a bungalow. The development is close to the boundary and will have a significant impact on the adjoining residents. There would be overlooking and loss of light.*
 - *Unacceptable high density and over development for an area which is well laid out.*
 - *The proposed extension would have a detrimental impact on the appearance of the area from the Road completely out of keeping with the area.*

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Smoke Control Order

Relevant Planning History:

19/00654/PREAPP 2nd April 2019 CLO
Two storey side extension

77/00644/PF 31st August 1977 PER
Erection of boundary wall

81/00974/PF 26th February 1981 PER
Provisions of chimney for ventilation for open gas/coal fire

3. POLICIES AND GUIDANCE

National Planning Policy Framework
Section 12 Achieving well-designed places

Saved Local Plan Policies
CP 4 Safe and sustainable living
CP 7 Design

Adopted Joint Core Strategy Policies
SD4 Design Requirements

Supplementary Planning Guidance/Documents
Residential Alterations and Extensions (2008)

4. CONSULTATIONS

Building Control

17th April 2019

The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Borough Council on 01242 264321 for further information.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	9
Total comments received	2
Number of objections	2
Number of supporting	0
General comment	0

5.1 9 letters were sent out to notify neighbouring properties of this application and in response to this publicity 2 objections have been received.

5.2 The planning objections related to;

- Impact on the character and appearance of the area.
- Impact on neighbouring amenity in terms of overbearing, loss of light and overlooking.

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The key considerations in relation to this application are the design of the proposal and impact that it will have on the existing building and character of the locality, and the potential impact on neighbouring amenity.

6.3 The site and its context

6.4 The application site is a detached, pitched roof, brick property located within Park Ward. A number of neighbouring properties have been extended within the estate, these extensions differ in design, size and location. The majority of dwellings within the estate are detached and two storey, however there is no uniform pattern of plot size and gaps between the buildings, these differ from plot to plot.

6.5 There are two detached bungalows (67 and 58 Merestones Drive) to the south of the application site. There are limited views of the bungalows from the road given the position of 56 Merestones Drive and a high brick wall that runs along the front side boundary.

6.6 Design

6.7 Section 12 of the NPPF emphasises the importance of achieving well designed places that are visually attractive and sympathetic to local character and setting.

6.8 Policy SD4 of the Joint Core Strategy (JCS) sets out that high quality, well thought out design is key to achieving sustainable development. The policy goes on to emphasise that development should positively respond to and respect the site and its surroundings.

- 6.9** Saved local plan policy CP7 requires development to be of a high standard of architectural design and to complement and respect neighbouring development and the character of the locality. Paragraph 4.18 of the Cheltenham Borough Local Plan advises that 'extensions to existing buildings need to be carefully designed to respect the character and scale of the existing building. The most important consideration is that an extension should not detract from the original'.
- 6.10** In accordance with the Council's supplementary planning guidance – 'Residential Alterations and Extensions (2008)', a two storey side extension should normally be set back from the front, principal elevation with the roof of the extension set below the main roof height. The proposed side extension is shown flush with the front elevation. However, in this instance, the width of the resultant building is not considered excessive, the ridge height and eaves height are lower than the existing building and the brick pier detail on the corner of the front elevation will be retained so that the original form of the building can still be read. The fenestration pattern and facing materials will also match the parent dwelling.
- 6.11** The side boundary is at an angle so the gap between the extension and boundary will differ from 100mm to 3m. This is not an uncommon gap size within the street scene, and will not harm the character of the locality.
- 6.12** The extension will obscure the view of 58 Merestones Drive roof from the road, this is regrettable however given the existing limited views of this neighbouring property the harm is not significant enough to warrant the refusal of planning permission which could be defended at appeal.
- 6.13** As such, it is considered that the proposed development complies with the relevant policies and guidance in terms of achieving an acceptable design.
- 6.14 Impact on neighbouring property**
- 6.15** Section 12 of the NPPF highlights that development should promote a high standard of amenity for existing and future users. This is further emphasised in policy SD14 of the JCS and Local Plan policy CP4 which set out the requirement for development not to cause unacceptable harm to the amenity of adjoining land users and the locality.
- 6.16** The neighbour at 58 Merestones Drive has objected to the extension on the grounds of overbearing impact, loss of light and loss of privacy.
- 6.17** No.58 has an obscure glazed kitchen door that will face the new extension, this door will be affected and will lose daylight as a result of the extension. Whilst the side extension will cause a loss of daylight to the neighbour's kitchen door, the kitchen which this door serves has a window that will be unaffected by the proposal. Therefore, it is considered that the neighbouring habitable room would not experience a significant loss of light as a result of the proposed side extension, owing to the other source of natural light. This is not an uncommon scenario and in rooms where there are additional light sources, the cumulative impact of these light sources has to be considered, rather than the value of each specific window. Essentially, what we are assessing is the amount of daylight that is lighting a room, not just the amount of daylight received by a particular light source.
- 6.18** With regards to overbearing impact, given that the kitchen door is obscure-glazed and the kitchen window is unaffected the proposal on balance will not cause unacceptable harm to the neighbours' outlook.
- 6.19** No windows are proposed to the side of the extension and a first floor obscure glazed ensuite window is proposed to the rear therefore the extension will not result in a loss of privacy. If members were to permit this application a condition is recommended that will ensure the first floor rear window is glazed with obscure glass and shall be non-opening

unless the parts of the window which can be opened are more than 1.7 metres above floor level.

- 6.20** As such, the proposal is considered to comply with the relevant policies in terms of protecting neighbouring amenity.

7. CONCLUSION AND RECOMMENDATION

- 7.1** Based on the above, the proposed two storey extension is considered to be in accordance with the relevant policies and guidance in terms of achieving an acceptable design and will not result in unacceptable harm to the amenity of adjoining land users.
- 7.2** The recommendation is therefore to permit this application subject to the conditions set out below.

8. CONDITIONS / INFORMATIVES

- 1 The planning permission hereby granted shall be begun no later than the expiration of three years from the date of this decision.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 All external facing and roofing materials shall match those of the existing building unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to saved policy CP7 of the Cheltenham Borough Local Plan (2006) and adopted policy SD4 of the Joint Core Strategy (2017).

- 4 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order), the first floor ensuite shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the room that the window serves.

Reason: To safeguard the amenities of adjacent properties, having regard to saved policy CP4 of the Cheltenham Borough Local Plan (2006) and adopted policy SD14 of the Joint Core Strategy (2017).